

EXHIBIT O

SENATE BILL 1696

By Herron

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 14, relative to food service
establishments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, Part 3, is amended by inserting the following language as a new, appropriately designated section:

(a) This section shall apply to menu items that are served in portions the size and content of which are standardized and for which calorie content information is made publicly available by any means on or after July 1, 2007, by or on behalf of the food service establishment serving the items.

(b) Food service establishments shall post on menu boards and menus the calorie content values in kilocalories that have been made publicly available as specified in subsection (a) for each menu item adjacent to the listing of each menu item. Posted calorie content shall be calculated in accordance with 21 CFR § 101.9(c)(1)(i) as it may be amended from time to time. Subject to prior approval by the department, food service establishments that are subject to the requirements of this section may use alternative means for making calorie information available to patrons, provided that such information is made available at the point of purchase and is at least as prominent as the disclosure methods required by this section.

(c) On menu boards, calorie content values shall be posted in a size and typeface at least as large as the name of the menu item or price, whichever is larger.

(d) On printed menus, calorie content values shall be legible and shall be printed in a size and typeface at least as large as the name or price of the menu item.

(e) On a menu board or printed menu, the term "calories" or "cal" shall appear either as a heading above a column listing the calorie content value of each menu item or adjacent to the calorie content value for each menu item and shall be printed in the same or larger typeface as the calorie content values for individual menu items.

(f) For menu items that are made available in different flavors and varieties but that are listed as single menu items including, but not limited to, beverages, ice cream, pizza, bagels or doughnuts, the range of calorie content values showing the minimum to maximum numbers of calories for all flavors or varieties of that item shall be listed on menu boards and menus for each size offered for sale.

SECTION 2. This act shall take effect October 1, 2007, the public welfare requiring it.